

EXHIBIT M
TO THE DECLARATION OF
UNDERSHERIFF KATHERINE JOHNSON

From: [Baumgartner, Margaret \(SHF\)](#)
To: ["Loretta Giorgi"](#)
Subject: EM - Presentenced - Rules
Date: Monday, May 10, 2021 3:54:08 PM
Attachments: [Pre-Sentenced Individuals SFSD EM Rules - Revised 2.3.20.pdf](#)

Judge Giorgi – attached is the EM Rules form that the Sheriff's Office goes over with clients and has them initial as part of the EM enrollment. Of particular note is paragraph 5 – search condition, and 13, sharing of information with other criminal justice partners. The PD has suggested that the waiver taken by the Court may not extend to these matters, and that such a waiver requires presence of counsel.

Of note with regard to sharing of information, the Sheriff's Office generally requires a written request from law enforcement, although in emergency situations (such as the person who a month or so ago stole the vehicle with the two children) the Sheriff's Office may at times share the information in an emergent situation to prevent further harm.

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San Francisco Sheriff's Department
Electronic Monitoring Program Rules
Pre-Sentenced Participants

Name: _____ DOB: _____ Court No: _____

We want you to succeed in this opportunity to remain out of custody during your court involvement. **Please review and indicate by initialing after each item that you understand your obligations.** If you do not follow the rules, you may be taken into custody by order of the court for any of the following reasons:

- Failure to follow program rules and/or regulations
- Failure to call or come in when instructed to either replace or return troublesome or problematic equipment
- Any articulable adverse behavior that prevents your successful completion of the program

Program Rules-Participant to review and initial each requirement

1. I shall obey all orders given by any sworn employee or EM employee. _____
2. I shall obey all laws. _____
3. I shall notify an SFSD sworn employee of any arrest, citation or peace officer contact no later than the day after it occurs. _____
4. I shall immediately notify an SFSD sworn employee of any change in address or phone number _____
5. I shall submit to a search of my person, residence, automobile or property by any peace officer at any time. _____
6. If I am court ordered to enroll for alcohol monitoring, via a urine sample and/or breath alcohol test, I will do so as instructed by sworn SFSD or EM staff. _____
7. I shall not possess any illegal weapons or drugs. If I am enrolled in alcohol monitoring, I will not possess any alcohol. _____
8. I shall not tamper with, remove or cause the equipment to malfunction. Any of these acts is considered as an overt attempt to avoid monitoring or detection. Violation of this rule may result in a court order for my return to secure custody and filing of additional criminal charges. _____
9. I am responsible for all issued equipment.
 - a. I may be criminally charged with theft for failure to return any issued equipment. _____
 - b. I may be criminally charged with vandalism for damage to any issued equipment. _____
10. All participants must live within 50 driving miles of the San Francisco Sheriff's Department Community Programs office located at 70 Oak Grove Street, San Francisco, CA. Absent permission by SFSD I shall not travel farther than 50 driving miles from 70 Oak Grove Street, San Francisco, CA. _____
11. I am responsible to keep the device charged. Failure to do so is a violation the program. _____
12. I shall call in and report as directed to the office located at 70 Oak Grove Street, San Francisco, CA. Failure to do so is a violation of the program. _____

Community Programs Office Phone Number: 415-575-6461 – 24 HOURS A DAY
Location: 70 Oak Grove, San Francisco, CA, 94103 – 24 HOURS A DAY



San Francisco Sheriff's Department
Electronic Monitoring Program Rules
Pre-Sentenced Participants

Name: _____ DOB: _____ Court No: _____

Program Rules continued - *Participant to review and initial each requirement*

13. I acknowledge that my EM data may be shared with other criminal justice partners. _____
14. I agree to respond to all telephone calls from the Sheriff's Department and/or the Electronic Monitoring Program. _____

The Following Home Detention/Curfew Considerations do not apply to participants who are on EM Tracking only

15. I must remain within the interior premises of my residence during designated curfew hours. _____
16. I may engage in only pre-approved activities per the court order. _____
17. I am granted 2.5 hours per week of errand time to attend personal needs such as church services or grocery shopping. After one successful month of compliance, I will be granted four hours per week at a consistent time (to be scheduled before 9pm). _____
18. I may attend counseling, 12-step meetings and programmatic groups if they are scheduled and verified. This may not exceed eight hours per week. _____
19. I must request any change in schedule 48 hours in advance. Request for schedule changes can only be made by phone Monday through Friday from 10:00 am to 5:00 pm. This includes court and medical appointments. _____
20. Any approved days spent out of zone will not be counted towards any calculation of credit for time served by the court. _____
21. A hearing may be convened for three incidents of non-compliance that may result in a court ordered return to custody. _____
22. An affidavit for return to custody will be submitted to the court and may result in a warrant for one incident of serious non-compliance. _____

I have read and initialed each item to indicate understanding. I agree to comply with these rules and conditions of the SFSD Electronic Monitoring Program.

Participant Signature: X _____ Date: _____

Sworn Staff Name: _____ Star: _____

Sworn Staff Signature: _____ Date: _____

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